

04-19-01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

04/18/01

In re Patent Application of: John H.J. Petrini et al.

Title: ANTIBODY SPECIFIC FOR A DNA REPAIR PROTEIN

Attorney Docket No.: 800.019US2

jc962 U.S. PTO  
09/837602  
04/18/01

## PATENT APPLICATION TRANSMITTAL

## BOX PATENT APPLICATION

Commissioner for Patents  
Washington, D.C. 20231

We are transmitting herewith the following attached items and information (as indicated with an "X"):

Return postcard.

DIVISIONAL of prior Patent Application No. 09/067,641 (under 37 CFR § 1.53(b)) comprising:

- Specification ( 99 pgs, including claims numbered 1 through 19 and a 1 page Abstract).
- Informal Drawing(s) ( 7 sheets).
- Copy of signed Combined Declaration and Power of Attorney ( 3 pgs) from prior application.
- Incorporation by Reference: *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.*
- Check in the amount of \$355.00 to pay the filing fee.

Prior application is assigned of record to Wisconsin Alumni Research Foundation, University of California.

Information Disclosure Statement ( 1 pgs), Form 1449 ( 2 pgs). References NOT enclosed, cited in prior application.

Preliminary Amendment ( 7 pgs).

Small Entity Statement filed in prior application; status still proper and desired.

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i) ( 1 pg).

Clean Version of Pending Claims (1 pg.).

The filing fee has been calculated below as follows:

	No. Filed	No. Extra	Rate	Fee
TOTAL CLAIMS	7 - 20 =	0	x 9 =	\$0.00
INDEPENDENT CLAIMS	2 - 3 =	0	x 40 =	\$0.00
[ ] MULTIPLE DEPENDENT CLAIMS PRESENTED				\$0.00
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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	John H.J. Petrini et al.
	Title	ANTIBODY SPECIFIC FOR A DNA REPAIR PROTEIN
	Atty Docket Number	800.019US2

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

April 18, 2001

Date

Janet F. Embretson

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This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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